

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**WILLIE L. CARTER, #B-06938,**

**Plaintiff,**

**vs.**

**DANIEL R. HECHT and  
DAVID CHILDERS,**

**Defendants.**

**No. 02-CV-1015-DRH**

**ORDER**

**HERNDON, District Judge:**

Before the Court are two motions submitted by Plaintiff Willie L. Carter ("Plaintiff"), one objecting to Magistrate Judge Frazier's Report and Recommendation (the "Report") denying Plaintiff's motion for judgment on the pleadings (Doc. 44), and one seeking to "amend relevant evidence" relating to an objection Plaintiff earlier filed to Judge Frazier's Report. (Doc. 51.)

Magistrate Judge Frazier issued his Report on May 22, 2005. (Doc. 22.) Under **Local Rule of the Southern District of Illinois 73.1**, the parties had ten days in which to serve and file written objections. Plaintiff's objection to Judge Frazier's Report was filed on September 6, 2005, and his motion to amend his earlier objection was filed on October 3, 2005. (Docs. 44, 51.) Both of these dates fall well beyond the ten-day period for written objections. Further, Plaintiff's motions were filed approximately three and four months, respectively, after this Court adopted

Judge Frazier's Report. (Doc. 25.)

Accordingly, the Court **STRIKES** both Plaintiff's September 6, 2005 motion objecting to Judge Fraizer's Report (Doc. 44) and Plaintiff's October 3, 2005 motion to amend his earlier objection to the Report (Doc. 51). Defendants' motion to strike Plaintiff's October 3, 2005 motion is **GRANTED**. (Doc. 52.)

**IT IS SO ORDERED.**

Signed this 15th day of February, 2005.

/s/ David RHerndon  
**United States District Judge**